

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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XIAMIN ZENG *a/k/a* “AIMEE ZANE,

Plaintiff,

-against-

NOTICE OF MOTION

19-CV-3218 (JGK) (KHP)

THE CITY OF NEW YORK, DETECTIVE DANIELLE
FEBUS [RANK FY2000], INSPECTOR JOHN CHELL,
DETECTIVE GARY DENEZZO [RANK FY2000],
SERGEANT GEORGE TAVERES (#5354), POLICE
OFFICER IRWIN LUPERON (SHIELD NO. 27763),
POLICE OFFICER ERLENE WILTSHIRE (SHIELD NO.
#24340), *and* POLICE OFFICER CHRISTOPHER
ROBLEY (#23263), *both in their individual and
professional capacities,*

Defendants.

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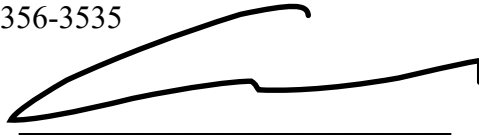
PLEASE TAKE NOTICE that upon the annexed Declaration of Christopher D. DeLuca, dated July 16, 2021, and the exhibits annexed thereto; the accompanying Memorandum of Law; Local Civil Rule 12.1 Notice to Pro Se Litigant Who Opposes a Rule 12 Motion to Dismiss; and upon all prior pleadings and proceedings had herein, Defendants City of New York, Gary DeNezzo, Danielle Febus, Erlene Wiltshire, and Irwin Luperon (hereinafter “Defendants”) will move this Court before the Honorable John G. Koeltl, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, on a return date to be set by the Court, for dismissal pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure on the ground that plaintiff has failed to state a claim upon which relief can be granted, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that plaintiff's opposition shall be served by August 13, 2021; and defendants' reply, if any, shall be served by September 3, 2021.

Dated: New York, New York
July 16, 2021

GEORGIA M. PESTANA
Acting Corporation Counsel
of the City of New York
*Attorney for Defendants City of New York, Gary
DeNezzo, Danielle Febus, Erlene Wiltshire, and
Irwin Luperon*
100 Church Street
New York, New York 10007
(212) 356-3535

By:



Christopher D. DeLuca
Senior Counsel
Special Federal Litigation Division

cc: **BY ECF**
Xiamin Zeng
Plaintiff *Pro Se*
110 Columbia Street, Apt. 1A
New York, New York 10002